

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**LADDY CURTIS VALENTINE and
RICHARD ELVIN KING, individually and
on behalf of those similarly situated,
*Plaintiffs,***

V.

**BRYAN COLLIER, in his official capacity,
ROBERT HERRERA, in his official capacity,
and TEXAS DEPARTMENT OF
CRIMINAL JUSTICE,
Defendants.**

§ § § § § § § § § § § § § §

Civil Action No. 4:20-cv-01115

**DEFENDANTS' RESPONSE IN OPPOSITION TO PLAINTIFFS' APPLICATION FOR A
TEMPORARY RESTRAINING ORDER**

EXHIBIT A

AFFIDAVIT

THE STATE OF TEXAS §

COUNTY OF WALKER §

BEFORE ME, the undersigned authority, on this day personally appeared Frances Gattis, who, being by me duly sworn, deposed as follows:

My name is Frances Gattis, and I am a Deputy Division Director of the Administrative Review and Risk Management Division of the Texas Department of Criminal Justice (TDCJ), a governmental agency. My duties include overseeing the management of the Offender Grievance department. I am executing this affidavit as part of my assigned duties and responsibilities. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.

The Texas Department of Criminal Justice stores information about offender grievances in its mainframe database. The entries of such records are made and stored as a regularly conducted activity and regular practice of the TDCJ, and were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters.

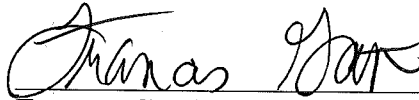
I have searched, or have caused a search to be conducted, for grievances filed by offenders Laddy Valentine, TDCJ #01782033, and Richard King, TDCJ #00516700.

Laddy Valentine has filed one (1) grievance during the past three years (note: records retention for grievances is only three years), and it was filed on April 1, 2020. The summary of the grievance in the Mainframe database states that Mr. Valentine "claims he is filing for lack of hand sanitation and cleaning supplies." The TDCJ's deadline to respond to offender Valentine is May 11, 2020, unless the TDCJ seeks an extension as permitted by the Offender Grievance Operations Manual.

Richard King has filed six (6) grievances during the past three years (note: records retention for grievances is only three years). The most recent grievance was filed April 2, 2020. The summary of the grievance in the Mainframe database states that Mr. King "claims Classification continues to move offenders from other units to the Pack Unit during the coronavirus [sic] pandemic." The TDCJ's deadline to respond to offender King is May 12, 2020, unless the TDCJ seeks an extension as permitted by the Offender Grievance Operations Manual. Prior to this April 2nd grievance, the most recent grievance filed by offender King was filed and closed in 2018.

I declare under penalty of perjury that the foregoing is true and correct.

"Further Affiant sayeth not."



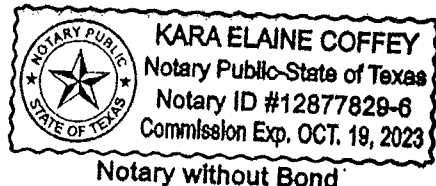
Frances Gattis

Deputy Division Director

Administrative Review and Risk Management

Texas Department of Criminal Justice

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned notary public, on the 15th day of April, 2020.



NOTARY PUBLIC, STATE OF TEXAS

Kara Elaine Coffey
Notary's Printed Name

My Commission Expires:

10/19/23